

**Equal Employment Opportunity Data Posted  
Pursuant to the No Fear Act:**

**Bureau of Indian Affairs: BIA (and below)**

**For 1st Quarter 2013 for period ending December 31, 2012**

**\*\*Mixed Cases are Included in this report\*\***

Complaint Activity	Comparative Data					
	Previous Fiscal Year Data					2013 Through 12-31
	2008	2009	2010	2011	2012	
Number of Complaints Filed	42	53	81	54	35	8
Number of Complainants	38	47	80	54	35	8
Repeat Filers	3	1	1	0	0	0
<div>1. Number of complaints: This is based on the number of complaints filed during the Fiscal Year.</div> <div>2. Number of Complainants: This represents the number of complainants who filed complaints during the Fiscal Year.</div> <div>3. Repeat Filers: This is based on the number of complainants who filed more than one complaint during the Fiscal Year.</div> <div>Complaints by Basis</div>	Comparative Data					
	Previous Fiscal Year Data					2013 Through 12-31
<u>Note: Complaints can be filed alleging multiple bases.The sum of the bases may not equal total complaints filed.</u>	2008	2009	2010	2011	2012	
Race	16	16	12	13	12	2
Color	2	5	3	4	4	1
Religion	3	1	0	3	1	1
Reprisal	21	24	34	23	16	4
Sex	20	21	35	18	18	3
PDA	0	0	0	0	0	0
National Origin	4	7	11	10	7	0
Equal Pay Act	0	0	0	0	0	0
Age	11	20	19	21	17	5
Disability	5	10	12	7	6	1
Genetics	0	0	0	0	0	0

Non-EEO	0	0	1	1	2	0
Complaints by Issue	Comparative Data					
	Previous Fiscal Year Data					2013 Through 12-31
<b><u>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</u></b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	
Appointment/Hire	4	6	8	4	2	0
Assignment of Duties	6	2	4	3	4	1
Awards	1	2	2	1	1	0
Conversion to Full-time	0	0	0	0	0	0
<b>Disciplinary Action</b>						
Demotion	0	0	1	0	1	0
Reprimand	2	1	2	3	3	0
Suspension	0	1	2	3	0	1
Removal	1	7	2	0	0	0
Other	1	0	1	1	1	0
Duty Hours	0	3	0	3	0	0
Evaluation Appraisal	4	1	2	3	1	0
Examination/Test	0	0	0	0	0	0
<b>Harassment</b>						
Non-Sexual	7	5	23	16	8	2
Sexual	4	4	5	1	3	1
Medical Examination	0	0	0	0	0	0
Pay (Including Overtime)	0	0	1	0	2	1
Promotion/Non-Selection	6	12	12	7	2	0
<b>Reassignment</b>						
Denied	1	0	0	0	0	0
Directed	0	2	2	3	1	0
Reasonable Accommodation	0	1	0	0	1	0
Reinstatement	0	0	0	1	0	0
Retirement	0	0	0	1	0	0
Termination	7	8	14	12	11	3
Terms/Conditions of Employment	1	1	5	2	4	2

Time and Attendance				0	4	3	1	1	0						
Training				1	0	1	3	1	0						
Other				1	1	1	1	0	0						
Processing Time				Comparative Data											
				Previous Fiscal Year Data								2013 Through 12-31			
				2008		2009		2010		2011				2012	
Complaints pending during fiscal year															
Average number of days in investigation				507.21	432.64	411.32	287.83	372.13	203.83						
Average number of days in final action				92.65	273.79	122.19	181.45	168.48	77.50						
Complaint pending during fiscal year where hearing was requested															
Average number of days in investigation				500.20	422.36	360.11	287.55	368.84	208.80						
Average number of days in final action				8.62	109.71	10.45	59.45	8.67	15.00						
Complaint pending during fiscal year where hearing was not requested															
Average number of days in investigation				518.00	458.82	483.41	288.50	380.27	179.00						
Average number of days in final action				248.71	328.48	183.65	330.56	248.39	140.00						
Complaints Dismissed by Agency				Comparative Data											
				Previous Fiscal Year Data								2013 Through 12-31			
				2008		2009		2010		2011				2012	
Total Complaints Dismissed by Agency				3	2	15	20	3	3						
Average days pending prior to dismissal				472	988	299	365	114	114						
Complaints Withdrawn by Complainants															
Total Complaints Withdrawn by Complainants				0	2	3	5	4	5						
Total Final Agency Actions Finding Discrimination				Comparative Data											
				Previous Fiscal Year Data								2013 Through 12-31			
				2008		2009		2010		2011				2012	
				#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings				0		3		7		3		1		1	
Without Hearing				0	0	3	100	5	71	1	33	1	100	1	100
With Hearing				0	0	0	0	2	29	2	67	0	0	0	0

Findings of Discrimination Rendered by Basis	Comparative Data											
	Previous Fiscal Year Data											2013 Through 12-31
	2008		2009		2010		2011		2012			
<u>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.</u>	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings	0		3		7		3		1		0	
Race	0	0	0	0	3	43	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	1	14	0	0	0	0	0	0
Reprisal	0	0	3	100	3	43	1	33	1	100	0	0
Sex	0	0	1	33	4	57	1	33	0	0	0	0
PDA	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	2	29	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	2	29	1	33	1	100	0	0
Disability	0	0	0	0	2	29	1	33	0	0	0	0
Genetics	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0
Findings After Hearing	0		0		2		2		0		0	
Race	0	0	0	0	2	100	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	1	50	0	0	0	0
Sex	0	0	0	0	1	50	0	0	0	0	0	0
PDA	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	1	50	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0	1	0
Disability	0	0	0	0	1	50	1	50	0	0	0	0
Genetics	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0

Findings Without Hearing	0		3		5		1		1		0	
Race	0	0	0	0	1	20	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	1	20	0	0	0	0	0	0
Reprisal	0	0	3	100	3	60	0	0	1	100	0	0
Sex	0	0	1	33	3	60	1	100	0	0	0	0
PDA	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	1	20	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	2	40	1	100	1	100	1	100
Disability	0	0	0	0	1	20	0	0	0	0	0	0
Genetics	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0
Findings of Discrimination Rendered by Issue	Comparative Data											
	Previous Fiscal Year Data										2013 Through 12-31	
	2008		2009		2010		2011		2012			
	#	%	#	%	#	%	#	%	#	%	#	%
	Total Number Findings	0		3		7		3		1		0
Appointment/Hire	0	0	0	0	2	29	1	33	1	100	0	0
Assignment of Duties	0	0	2	67	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action												
Demotion	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	1	33	2	29	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	1	33	0	0	1	33	0	0	0	0
Evaluation Appraisal	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0

Harassment												
Non-Sexual	0	0	1	33	0	0	0	0	0	0	0	0
Sexual	0	0	1	33	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	1	33	1	14	1	33	0	0	0	0
Reassignment												
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	2	29	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0
Other - User Defined	0	0	0	0	0	0	0	0	0	0	0	0
<b>Findings After Hearing</b>	0		0		2		2		0		0	
Appointment/Hire	0	0	0	0	2	100	1	50	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action												
Demotion	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0

Harassment												
Non-Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	1	50	0	0	0	0
Reassignment												
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0
Other - User Defined	0	0	0	0	0	0	0	0	0	0	0	0
<b>Findings Without Hearing</b>	0		3		5		1		1		0	
Appointment/Hire	0	0	0	0	0	0	0	0	1	100	0	0
Assignment of Duties	0	0	2	67	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action												
Demotion	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	1	33	2	40	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	1	33	0	0	1	100	0	0	0	0
Evaluation Appraisal	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0

Harassment												
Non-Sexual	0	0	1	33	0	0	0	0	0	0	0	0
Sexual	0	0	1	33	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	1	33	1	20	0	0	0	0	0	0
Reassignment												
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	2	40	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0
Other - User Defined	0	0	0	0	0	0	0	0	0	0	0	0
Pending Complaints Filed in Previous Fiscal Years by Status	Comparative Data											
	Previous Fiscal Year Data										2013 Through 12-31	
	2008	2009		2010	2011	2012						
Total complaints from previous Fiscal Years	98			107		117	128	115		92		
Total Complainants	93			100		105	122	112		44		
Number complaints pending												
Investigation	18			21		4	11	1		12		
ROI issued, pending Complainant's action	0			1		2	0	0		2		
Hearing	27			34		29	39	48		40		
Final Agency Action	16			7		13	11	6		5		
Appeal with EEOC Office of Federal Operations	0			0		0	1	1		21		



Complaint Investigations	Comparative Data					
	Previous Fiscal Year Data					2013 Though 12-31
	2008	2009	2010	2011	2012	
Pending Complaints Where Investigations Exceed Required Time Frames	27	34	19	16	4	7

**Pending Complaints Filed in Previous Fiscal Years by Status:**

*Number of Complaints Pending Investigation: This represents the date an investigation started through the end of the Fiscal Year.*

*ROI Issued, Pending complainant's action: This represents the date an Investigation ended through the end of the Fiscal Year.*

*Number of Complaints Pending Hearing: This represents the date a Hearing Request was received through the end of the Fiscal Year.*

*Final Agency Action: This represents the date a Request for a Final Agency Decision (FAD) is received through the end of the Fiscal Year.*

*Appeal with EEOC Office of Federal Operations: This represents the number of complainants who filed Appeals with the EEOC, Office of Federal Operations.*